

**CLARK COUNTY
DEPARTMENT OF COMMUNITY DEVELOPMENT
DEVELOPMENT SERVICES**

**STAFF ANALYSIS
& RECOMMENDATION**

HEARING DATE:

July 23, 2009

DEVELOPMENT NAME:

WESTMINSTERSHIREVILLE

CASE NUMBERS:

PLD2009-00022; WET2009-00035; SEP2009-00038

TYPE III DEVELOPMENT & ENVIRONMENTAL REVIEW, STAFF REPORT & RECOMMENDATION

Form DS1402 PLD



Project Name: WESTMINSTERSHIREVILLE SUBDIVISION

Case Number: PLD2009-00022; SEP2009-00038

Location: 10212 NE 107th Street

Request: The applicant is requesting to subdivide 5.51 acres into 17 single-family residential lots located in the R1-10 zone district.

Applicant: Troy Johns
14801 NE 13th Circle
Vancouver, WA 98684
(360)600-4425
troyajohns@gmail.com

Contact Person: David Rosenberger
Minister Glaeser Surveying Inc.
2200 E Evergreen Blvd
Vancouver, WA 98661
(360)694-3313; (360)694-8410 fax
dwr@mgsurvey.com

RECOMMENDATION

Approve, subject to Conditions

Team Leader's Initials: ATG **Date Issued:** July 8, 2009

Public Hearing Date: July 23, 2009

County Review Staff:

	<u>Name</u>	<u>Phone Ext.</u>	<u>E-mail Address</u>
Team Leader:	Travis Goddard	4180	Travis.goddard@clark.wa.gov
Planner:	Jan Bazala	4499	Jan.bazala@clark.wa.gov
Engineer Supervisor:	Kevin Gray	5358	Kevin.gray@clark.wa.gov

(Trans. & Stormwater):			
Engineer (Trans. & Stormwater):	David Bottamini	4881	David.bottamini@clark.wa.gov
Engineering Supervisor: (Trans. Concurrency):	Steve Schulte P. E.	4017	steve.schulte@clark.wa.gov
Engineer (Trans. Concurrency):	David Jardin	4354	David.jardin@clark.wa.gov
Fire Marshal Office	Tom Scott	3323	tom.scott@clark.wa.gov

Comp Plan Designation: UL

Parcel Number(s): 199875-000

Applicable Code Sections: Clark County Code: Title 15 (Fire Prevention), Section 40.220.010 (Single-Family Residential District), Section 40.320.010 (Landscaping), Section 40.350, (Transportation), Section 40.350.020 (Transportation Concurrency), Chapter 40.380 (Storm Water Drainage and Erosion Control), Sections 40.500 and 40.510 (Procedures), Section 40.540 (Land Division Ordinance), Section 40.570 (SEPA), Section 40.570 (SEPA Archaeological), Section 40.610 (Impact Fees), Title 24 (Public Health), RCW 58.17, and the Clark County Comprehensive Plan.

Neighborhood Association/Contact:

Sunnyside Neighborhood Association

George White, President

PO Box 820072

Vancouver, WA 98682

896-6216

E-mail: sunnyside5@pacifier.com

Vesting:

An application is reviewed against the subdivision, zoning, transportation, stormwater and other land development codes in effect at the time a fully complete application for preliminary approval is submitted. If a pre-application conference is required, the application shall earlier contingently vest on the date the fully complete pre-application is filed. Contingent vesting requires that a fully complete application for substantially the same proposal is filed within 180 calendar days of the date the county issues its pre-application conference report.

A pre-application conference on this matter was held on November 20, 2008. The pre-application was determined to be contingently vested as of October 30, 2008 (i.e., the date the fully complete pre-application was submitted).

The fully complete application was submitted on May 6, 2009 and determined to be fully complete on May 20, 2009. Given these facts the application is vested on October 30, 2008.

There are no disputes regarding vesting.

Time Limits:

The application was determined to be fully complete on May 6, 2009 (see Exhibit No. 7). Therefore, the County Code requirement for issuing a decision within 92 days lapses on August 6, 2009. The State requirement for issuing a decision within 120 calendar days lapses on September 2, 2009.

Public Notice:

Notice of application and public hearing was mailed to the applicant, the Sunnyside Neighborhood Association and property owners within 300 feet of the site on June 3, 2009. One sign was posted on the subject property and two within the vicinity on July 8, 2009.

Public Comments:

Steve Howell, letter; June 5, 2009 (*Exhibit 10*)

Mr. Howell requests that a 10 foot wide L3 landscape buffer be required along the west property line, consistent with the buffer that is proposed along the north property line. He also suggests that a bike lane should be required along NE 107th Street.

Staff response: Neither of Mr. Howell's requests are code requirements. Although the applicant may propose a wider landscape buffer along the west property line, the examiner can not require it.

Project Overview

The 5.5 acre site is located on NE 107th Street, a dead end public road, approximately .7 mile southwest of Prairie High School in the North Orchards area. Other subdivisions that have obtained preliminary plat approval along this section of NE 107th Street include Glenwood Hollow, Fraser Downs, and Rivendell.

The site is developed with a centrally located single family residence, and various outbuildings. The site is fairly level and is nicely landscaped.

No habitat areas exist on the site. A wetland pre-determination found no wetlands on the site.

The site is located, or can be annexed into, the following districts:

Battle Ground schools

City of Vancouver water

Clark Regional Wastewater sewer

Park District 6

Fire District 5

The development proposes 17 single family lots between 9,341 to 17,361 square feet. The existing residence will remain on the largest lot.

To the west and north lies the Westminster Walk 2 subdivision with roughly 2.5 acre lots. To the southeast lies the Prairie Meadow subdivision, with 2-5 acre lots.

Comprehensive Plan, Zoning and Current Land Use

Compass	Comp Plan	Zoning	Current Land Use
Site	UL (Urban Low Density)	R1-10	Single family residence
North	UR (Urban Reserve)	UR-10	Single family residence
East	UL	R1-10	Single family residence
South	UL	R1-5	Vacant
West	UR	UR-10	Single family residence

Staff Analysis

Staff first analyzed the proposal in light of the 16 topics from the Environmental Checklist (see list below). The purpose of this analysis was to identify any potential adverse environmental impacts that may occur without the benefit of protection found within existing ordinances.

- | | |
|---------------------------------|----------------------------------------|
| 1. Earth | 9. Housing |
| 2. Air | 10. Aesthetics |
| 3. Water | 11. Light and Glare |
| 4. Plants | 12. Recreation |
| 5. Animals | 13. Historic and Cultural Preservation |
| 6. Energy and Natural Resources | 14. Transportation |
| 7. Environmental Health | 15. Public Services |
| 8. Land and Shoreline Use | 16. Utilities |

Staff then reviewed the proposal for compliance with applicable code criteria and standards in order to determine whether all potential impacts could be mitigated through application of the code.

Staff's analysis also reflects review of agency and public comments received during the comment period, and knowledge gained through a site visit.

Major Issues:

Only the major issues, errors in the development proposal, and/or justification for any conditions of approval are discussed below. Staff finds that all other aspects of this proposal not discussed below comply with the applicable code requirements.

LAND USE:

Land Use Finding 1 - Development Standards

Table 40.220.010-2 includes the following standards

Average minimum lot width—80 feet

Average minimum lot depth—90 feet

Minimum lot area—10,000 square feet

Maximum average lot area —15,000 square feet

One lot is less than 10,000 square feet, which is allowed under 40.200.040.C.2. One lot exceeds the maximum average of 15,000 square feet; however, the 17 lots average (overall) less than 15,000 square feet.

Lot 9 on the original plan was only 80 feet deep, whereas 90 feet is required. A revised plan was submitted (**Exhibit 12**) which shows Lot 9 and all the other lots meeting lot depth, width and area requirements.

The applicable setbacks for each lot in the R1-10 zone, in accordance with Table 40.220.010-3, are as follows:

- Front – 20 feet
- Side – 5 feet
- Rear – 5 feet
- Street side – 10 feet
- Setbacks to temporary turnarounds – 10 feet to living space, 15 feet to garages

Land Use Finding 2 - Landscaping

Table 40.320.010-1 requires a five foot wide L-1 landscape buffer along the west perimeter of the site, as the property to the west is zoned UR-10 and is separated by the proposed NE 102nd Avenue, a partial width street. This buffer is proposed on the east side of 102nd Avenue, in the front yards of the lots. A ten foot wide L-3 buffer is required and proposed along the north property line. Street trees in compliance with the Standard Details Manual will be required in the right of way along NE 107th Street. Installation of the street trees will be required prior to final plat; installation of the west and north landscaping buffers will be required prior to final occupancy of the lots.

A final landscape plan showing the buffers noted above shall be submitted with the final plat. (**See Conditions A-9, D-7, and F-2**)

Land Use Finding 3 – Existing easement

The existing 60 foot wide easement recorded under Assessor's File 8503050082 along the west property line has not been extinguished. It appears unlikely that future use of this 60 foot easement will occur, since road access will be provided by the applicant to the north property line. Staff finds that while the likelihood of future use is very small, it is not zero. Therefore, any stormwater facilities constructed within the easement should not be accepted for maintenance by the county. (**See Conditions A-6.e and D-5.c**)

Land Use Finding 4 – Shared Driveways

Lots 15 and 16 are dependent on a driveway easement across Lots 14 and 17. Only three dwelling units may be served by the driveway easement; therefore, at a minimum, Lot 14 or Lot 17 will need to take access off of the temporary turnaround or NE 102nd Avenue. The final plat should indicate which of these lots may and may not access the private driveway. (**See Condition D-2.h**)

Land Use Finding 5 – Student Transportation

The applicant provided a letter from the Battle Ground School District stating the students will be bused to school.

Conclusion (Land Use):

Staff concludes that the proposed preliminary plan, subject to conditions identified above, meets the land use requirements of the Clark County Code.

ARCHAEOLOGY:

The state Department of Archaeology and Historic Preservation has reviewed an archaeological pre-determination submitted by the applicant's archaeologist. The state concurred that no additional work will be required, however the standard condition regarding discovery of resources will be applied. **(See Condition A-4.a)**

Conclusion (Archaeology):

Staff finds that the proposed preliminary plan, subject to conditions identified above, meets the archaeology requirements of the Clark County Code.

WETLANDS:

The county has confirmed through a wetland pre-determination (WET2009-00035) that no wetlands are present on the site.

TRANSPORTATION:**Transportation Finding 1 – Pedestrian/Bicycle Circulation Plan**

Pedestrian circulation facilities in compliance with the Americans with Disabilities Act are required in accordance with the provisions of Section CCC 40.350.010. The proposal meets the pedestrian circulation code.

Transportation Finding 2 – Road Circulation

The applicant has provided a proposal that staff believes complies with the circulation code requirements, Section CCC 40.350.030(B)(2).

Transportation Finding 3 – Roads

NE 107th St. is classified as an "Urban Collector", C-2, and the required minimum frontage improvements include 30 feet of right-of-way, 19 feet of paved with, curb, gutter, and detached sidewalk. The minimum intersection curb return radius that is required is 35 feet. The applicant has proposed the minimum required improvements.

The existing NE 107 Street between the site and NE 94th Avenue is of substandard width. Per CCC 40.350.030(B)(6)(b)(1), all public roads providing access to parcels being developed shall, at a minimum, have an unobstructed and paved roadway width of twenty (20) feet, except in those cases where the pre-existing road is eighteen (18) feet wide with one (1) foot wide shoulders in which additional widening to the twenty (20) foot standard is not necessary. Any pre-existing roadway narrower than eighteen (18) feet with one (1) foot shoulders shall be widened to the full twenty (20) foot standard. **(See Condition A-3)**

The applicant has proposed a partial width roadway identified as NE 102nd Avenue. The applicant indicates a temporary turnaround will be provided near the terminus. The applicant shall provide clear space behind the sidewalk of NE 102nd Avenue per the local access road cross-sections. The minimum intersection curb return radius that is required is 25 feet for a local residential access road. **(See Condition A-2.a)**

NE 107th Street and NE 102nd Avenue are proposed to be partial width roadways. Per CCC 40.350.030 (B)(5)(a)(5), parking shall be prohibited along partial width roads, with signs and pavement markings being the responsibility of the developer. **(See Condition A-2.b)**

CCC 40.350.030(B)(9)(b)(2) indicates that removal of a temporary turnaround and extension of sidewalk shall be the responsibility of the developer who extends the road. **(See Condition D-2.e)**

The applicant has proposed an on-site "Urban Cul-de-sac" road consisting of NE 108th Street and NE 103rd Court; the proposed improvements exceed the required improvements of standard drawing #15 that includes a 26-foot paved width. The proposed improvements include a 46-foot right-of-way, 28-foot paved width, curbs, gutters, and detached 5-foot sidewalks.

Per CCC 40.350.030 (B)(4)(b)(1)(b), corner lot driveways shall be a minimum separation of 50 feet from the intersecting property lines or where this is impractical, the driveway may be located 5 feet from the property line away from the intersection or as a joint use driveway at this property line. **(Condition A-2.c)**

Transportation Finding 4 – Sight Distance

The applicant submitted a sight distance analysis dated May 6th, 2009 that indicates sight distance will be sufficient at the proposed intersection of NE 102nd Avenue and NE 107th Street and is sufficient at the intersection of existing NE 94th Avenue and NE 105th Street.

The approval criteria for sight distances are found in CCC 40.350.030(B)(8). This section establishes minimum sight distances at intersections and driveways. Additional building setbacks may be required for corner lots in order to maintain adequate sight distance. The final engineering plans shall show sight distance triangles for all corner lots. Driveways shall have an unobstructed sight distance of 100 feet in both directions, except those that are on corner lots. Landscaping, trees, utility poles, and miscellaneous structures will not be allowed to impede required sight distances. **(See Condition A-2.d)**

Conclusion (Transportation):

Staff finds that the proposed preliminary plan, subject to conditions identified above, meets the transportation requirements of the Clark County Code.

TRANSPORTATION CONCURRENCY:

Transportation Concurrency Finding 1 -- Trip Generation

The applicant has submitted a traffic study that indicates that the proposed Westminstershireville Subdivision will consist of 17 single family attached home lots. The applicant's traffic study has also estimated the weekday a.m. peak-hour trip generation at 12 new trips, while the p.m. peak-hour trip generation is estimated at 16 new trips using nationally accepted data published by the Institute of Transportation Engineers.

The applicant has submitted a traffic study under the provisions of Clark County Code

section 40.350.020 (D)(1). The site is located at 10212 NE 107th Street - Vancouver

Transportation Concurrency Finding 2 -- Site Access

Traffic conditions are usually expressed using a scale that quantifies the ability of a facility to meet the needs and expectations of the driver. This scale is graded from A to F and is referred to as level-of-service (LOS). A driver who experiences an LOS A condition would expect little delay. A driver who experiences an LOS E condition would expect significant delay, but the traffic facility would be just within its capacity to serve the needs of the driver. A driver who experiences an LOS F condition would expect significant delay with traffic demand exceeding the capacity of the facility with the result being growing queues of traffic.

Congestion, or concurrency, level of service (LOS) standards are not applicable to site accesses or intersections that are not regionally significant; however, the LOS analysis provides information on the potential congestion and safety problems that may occur in the vicinity of the site.

The applicant's traffic study shows that the proposed development will take direct access onto NE 107th Street. Once on NE 107th Street, trips generated by the proposed development will enter onto NE 94th Avenue to the west and NE 105th Street to the south. Staff's analysis indicates that the intersections of NE 107th Street/site access, NE 107th Street/NE 94th Avenue and NE 105th Street/NE 94th Avenue will have a level-of-service (LOS) C or better in the 2012 build out horizon. The LOS was evaluated in the pm peak hour traffic conditions.

Transportation Concurrency Finding 3: Concurrency

The proposed development is required to meet the standards established in CCC 41.350.020(G) for corridors and intersections of regional significance within two miles of the proposed development.

The applicant's study shows a one-mile radius study area, which includes regionally significant unsignalized and signalized intersections.

County Staff has performed an evaluation of the operating levels, travel speed and delay standards represented in the County's model. The County's model consists of the study intersections and corridors of regional significance in the development area. The County's model yielded operating levels, travel speeds and delay standards during the pm peak hour with a LOS better than the minimum allowable LOS E for unsignalized intersections, except for NE 94th Avenue/NE 88th Street.

NE 94th Avenue/NE 88th Street

The intersection of NE 94th Avenue/NE 88th Street is projected to operate at a LOS F in the 2012 Concurrency horizon. This intersection is anticipated to meet signal warrants, thereby creating a Concurrency failure per CCC 40.350.020 (G)(1)(d). The failing approach is in the eastbound direction. The applicant's traffic study indicates that there are vehicle trips assigned to the failing approach at the NE 94th Avenue/NE 88th Street intersection.

The applicant has submitted a letter volunteering mitigation at the intersection of NE 94th Avenue/NE 88th Street. **(See Exhibit 14)** The applicant's traffic study has shown that the proposed mitigation will offset the impacts of the Westminstershireville subdivision development so that the installation of a signal will not be required. Concurrency Staff has reviewed the proposed mitigation and concurs with the applicant's recommendation of separate eastbound right and left-turn lanes at the intersection of NE 94th Avenue/NE 88th Street.

The applicant shall construct separate eastbound right and left-turn lanes at the intersection of NE 94th Avenue/NE 88th Street to offset the transportation impacts of the proposed Westminstershireville development. The construction shall include:

- Acquisition of right-of-way necessary to accommodate the volunteered improvements;
- A 100-foot long, 12-foot wide eastbound right and left-turn lanes with appropriate lane taper lengths; and,
- Related signing and striping associated with the volunteered improvement.

These mitigations should be constructed and operational prior to occupancy of any building. **(See Condition F-1)**

Based on the findings and mitigation volunteered by the applicant, staff has determined that this development can comply with adopted Concurrency Standards for unsignalized intersections.

The County's model also evaluated the operating levels, travel speeds and delay times for the regionally significant signalized intersections. This analysis showed that individual movements during peak hour traffic conditions had approach delays that did not exceed the maximum 240 seconds of delay in the 2012 build-out horizon.

The County has determined that this development can comply with adopted Concurrency Standards.

SAFETY:

Where applicable, a traffic study shall address the following safety issues:

- traffic signal warrant analysis,
- turn lane warrant analysis,
- accident analysis, and
- any other issues associated with highway safety.

Mitigation for off-site safety deficiencies may only be a condition of approval on development in accordance with CCC 40.350.030(B)(6) The code states that "nothing in this section shall be construed to preclude denial of a proposed development where off-site road conditions are inadequate to provide a minimum level of service as specified in Section 40.350.020 or a *significant* traffic or safety hazard *would be caused or materially aggravated* by the proposed development; provided, that the applicant may voluntarily agree to mitigate such direct impacts in accordance with the provisions of RCW 82.02.020."

Transportation Concurrency Finding 4 -- Turn Lane Warrants

Turn lane warrants are evaluated at unsignalized intersections to determine if a separate left or right turn lane is needed on the uncontrolled roadway.

The applicant's traffic study reviewed the site access for turn lane warrants and found that with the low traffic volumes, turn lanes would not be warranted at the studied intersection. County staff agrees with the traffic study findings.

Transportation Concurrency Finding 5 -- Historical Accident Situation

The applicant's traffic study analyzed the accident history within the vicinity of the site. The intersection accident rates do not exceed thresholds that would warrant additional analysis. Therefore, further analysis *is not* required.

Transportation Concurrency Finding 6 -- Sight Distance

Sight distance issues are addressed by Community Development; therefore, this issue will not be addressed here.

Conclusion (Transportation Concurrency):

In summary, staff recommends approval of the development application, as proposed, subject to the conditions of approval stated below.

STORMWATER:

Stormwater Finding 1 - Applicability

The Stormwater and Erosion Control Ordinance (CCC 40.380) applies to development activities that result in 2,000 square feet or more of new impervious area within the urban area; the platting of single-family residential subdivisions in an urban area; and all land disturbing activities.

The project will create more than 2,000 square feet of new impervious surface, involves platting of a single-family residential subdivision, and is a land disturbing activity not exempted in section 40.380.030. Therefore, this development shall comply with the Stormwater and Erosion Control Ordinance (CCC 40.380).

The erosion control ordinance is intended to minimize the potential for erosion; a plan is required for all projects meeting the applicability criteria listed in CCC 40.380.050. This project is subject to the erosion control ordinance.

Stormwater Finding 2 – Stormwater Proposal

The applicant has submitted a preliminary stormwater report that indicates a bioswale and detention facility will be utilized. The facilities are proposed to be publicly owned and maintained. As noted in Land Use Finding 3, publicly owned facilities can not be located in the existing 60 foot wide unextinguished easement to the north. **(See Condition A-6.e)**

The preliminary stormwater report identifies a 100-year/24-hour storm precipitation depth as being 4.0 inches. The 10-year/24-hour storm event precipitation depth is 3.0 inches. In addition, the 2-year/24-hour storm event precipitation depth is identified as being 2.0 inches.

Per CCC 40.380.040(C)(1)(g), the project shall not materially increase or concentrate stormwater runoff onto an adjacent property or block existing drainage from adjacent lots. **(See Condition A-6.a)**

According to CCC 40.380.050 (B)(8), properties and waterways downstream from development sites shall be protected from erosion due to increases in the volume, velocity, and peak flow rate of stormwater runoff from the project site. Stormwater exiting a parcel shall be discharged with adequate energy dissipaters within the development site to prevent downstream damage according to CCC 40.380.040 (C)(1)(d). An offsite analysis extending a minimum of one-fourth of a mile downstream from the development site in compliance with the provisions of Section CCC 40.380.040(B)(2) is required. **(See Condition A-6.b)**

If the applicant releases stormwater into the southeast corner of the site and to an existing culvert that is located under NE 107th Street, the flows shall not exceed the existing pre-developed flow rates for the southeastern portion of the site. It appears runoff from the southeast corner of the site currently drains into the culvert and the parcel #199635-002 to the south. **(See Condition A-6.c)**

Curve numbers shall not be averaged when calculating stormwater water quality design flows. The applicant shall demonstrate that the predeveloped curve numbers used in the stormwater calculations comply with CCC 40.380.040 (C)(2)(b). **(See Condition A-6.d)**

Conclusion (Stormwater):

Staff concludes that the proposed preliminary stormwater plan, subject to the conditions above, is feasible. Therefore, the requirements of the preliminary plan review criteria are satisfied.

FIRE PROTECTION:

Fire Protection Finding 1 – Fire Marshal Review

This application was reviewed by Tom Scott in the Fire Marshal's Office. Tom can be reached at (360) 397-2375 x4095 or 3323. Information can be faxed to Tom at (360) 759-6063. Where there are difficulties in meeting these conditions or if additional information is required, contact Tom in the Fire Marshal's office immediately.

Fire Protection Finding 2 – Building Construction

Building construction occurring subsequent to this application shall be in accordance with the provisions of the county's building and fire codes. Additional specific requirements may be made at the time of building construction as a result of the permit review and approval process. **(See Condition G-3)**

Fire Protection Finding 3 – Fire Flow

Fire flow in the amount of 1,000 gallons per minute supplied at 20 psi for 60 minutes duration is required for this application. Information from the water purveyor indicates that the required fire flow is available at the site and is estimated at 1,500 gpm. **(See Conditions A-11.a and B-1.c)**

Fire Protection Finding 4 – Fire Hydrants

Fire hydrants are required for this application. Either the indicated number or the spacing of the fire hydrants is inadequate. The applicant shall provide fire hydrants such that the maximum spacing between hydrants does not exceed 700 feet and such that no lot or parcel is in excess of 500 feet from a fire hydrant as measured along approved fire apparatus access roads.

Fire hydrants shall be provided with appropriate 'storz' adapters for the pumper connection. A 3-foot clear space shall be maintained around the circumference of all fire hydrants. The local fire district chief approves the exact locations of fire hydrants. As a condition of approval, contact Chad Lawry at the Vancouver Fire Department at 360-759-4418 to arrange for location approval. **(See Conditions A-11.b and c)**

Fire Protection Finding 5 - Fire Apparatus Access

The roadways and maneuvering areas as indicated in the application meet the requirements of the Clark County Road Standard.

Provide an unobstructed vertical clearance of not less than 13.5 feet, with an all weather driving surface and capable of supporting the imposed loads of fire apparatus. **(See Condition A-11.d)**

Fire apparatus turnarounds are required and meet the requirements of the Road Standards.

Conclusion (Fire Protection):

Staff finds that the proposed preliminary plan, subject to conditions identified above, meets the fire protection requirements of the Clark County Code.

HEALTH DEPARTMENT:

Submittal of a "Health Department Evaluation Letter" is required as part of the Final Construction Plan Review application. If the Evaluation Letter specifies that an acceptable "Health Department Final Approval Letter" must be submitted, the Evaluation Letter will specify the timing of when the Final Approval Letter must be submitted to the county (e.g., at Final Construction Plan Review, Final Plat Review or prior to occupancy). The Health Department Evaluation Letter will serve as confirmation that the Health Department conducted an evaluation of the site to determine if existing wells or septic systems are on the site, and whether any structures on the site have been/are hooked up to water and/or sewer. The Health Department Final Approval Letter will confirm that all existing wells and/or septic systems have been abandoned, inspected and approved by the Health Department (if applicable). **(See Condition A-12)**

Health Department Finding 2 – Septic Abandonment

The existing wells and/or septic systems are proposed to be abandoned. Submittal of an acceptable "Health Department Final Approval Letter" to the county is required at the time specified in the evaluation letter. **(See Condition B-1.b)**

WATER & SEWER SERVICE:

Water and Sewer Finding 1 -- Providers

The site will be served by the Vancouver water district and Clark Regional Wastewater sewer district. Letters from the above districts confirm that services are available to the site. Water and sewer stubs will be required to the north property line along NE 102nd Avenue. A copy of the final acceptance letter from the sewer and water purveyor should be submitted to the Health Department with the final plat mylar. The applicant shall comply with all requirements of the purveyor. **(See Condition D-8)**

Conclusion (Water & Sewer Service):

Staff finds that the proposed preliminary plan, subject to conditions identified above, meets the water and sewer service requirements of the Clark County Code.

IMPACT FEES:

Finding 1 -- Impact Fees

The additional residential lots created by this plat will produce impacts on schools, parks, and traffic, and are subject to School (SIF), Park (PIF), and Traffic Impact Fees (TIF) in accordance with CCC 40.610.

- Battle Ground School District, with a SIF of \$8,290.00 per dwelling;
- Park District #6, with a PIF of \$1,543.00 per dwelling (\$1,103 for park acquisition and \$440 for park development); and
- North Orchards Transportation Impact Fee of \$5,539

Impact fees shall be paid prior to issuance of a building permit for each lot. If a building permit application is made more than three years following the date of preliminary plat approval, the impact fees will be recalculated according to the then-current ordinance rate. **(See Conditions D-5.d and E-1)**

SEPA DETERMINATION

As lead agency under the State Environmental Policy Act (SEPA) Rules [Chapter 197-11, Washington Administrative Code (WAC)], Clark County must determine if there are possible significant adverse environmental impacts associated with this proposal. The options include the following:

- **DS = Determination of Significance** (The impacts cannot be mitigated through conditions of approval therefore, requiring the preparation of an Environmental Impact Statement (EIS);

- **MDNS = Mitigated Determination of Non-Significance** (The impacts can be addressed through conditions of approval); or,
- **DNS = Determination of Non-Significance** (The impacts can be addressed by applying the County Code).

Determination: DNS

Determination of Non-Significance (DNS). As lead agency, the county has determined that the requirements for environmental analysis, protection, and mitigation measures are adequately addressed in the development regulations and comprehensive plan adopted under chapter 36.70A RCW, and in other applicable local, state, or federal laws rules, as provided by RCW 43.21.240 and WAC 197-11-158. Our agency will not require any additional mitigation measures under SEPA. The proposal may include mitigation under applicable codes and the project review. This decision was made after review of a completed environmental checklist and other information on file with the County.

The likely SEPA determination of Non-Significance (DNS) in the Notice of Development Review Application issued on June 3, 2009 is hereby final.

SEPA Appeal Process:

An **appeal** of this SEPA determination and any required mitigation must be filed with the Community Development Department within fourteen (14) calendar days from the date of this notice. The SEPA appeal fee is **\$1,493**.

A **procedural appeal** is an appeal of the determination (i.e., determination of significance, determination of non-significance, or mitigated determination of non-significance). A **substantive appeal** is an appeal of the conditions required to mitigate for probable significant issues not adequately addressed by existing County Code or other law.

Issues of compliance with existing approval standards and criteria can still be addressed in the public hearing without an appeal of this SEPA determination.

Both the **procedural and substantive appeals** must be filed within fourteen (14) calendar days of this determination. Such appeals will be considered in the scheduled public hearing and decided by the Hearing Examiner in a subsequent written decision.

Appeals must be in writing and contain the following information:

1. The case number designated by the County and the name of the applicant;
2. The name and signature of each person or group (petitioners) and a statement showing that each petitioner is entitled to file an appeal as described under Section 40.510.030(H) of the Clark County Code. If multiple parties file a single petition for review, the petition shall designate one party as the contact representative with the Development Services Manager. All contact with the Development Services Manager regarding the petition, including notice, shall be with this contact person;
3. A brief statement describing why the SEPA determination is in error.

The decision of the Hearing Examiner on any SEPA procedural appeal can not be appealed to the Board of County Commissioners, but must pursue judicial review.

Staff Contact Person: Jan Bazala, Planner II, (360) 397-2375, ext. 4499.
Travis Goddard, Team Leader, (360) 397-2375, ext. 4180.

Responsible Official: Michael V. Butts

**Public Service Center
Community Development Department
1300 Franklin Street
P.O. Box 9810
Vancouver, WA 98666-9810
Phone: (360) 397-2375; Fax: (360) 397-2011
Web Page at: <http://www.clark.wa.gov>**

RECOMMENDATION

Based upon the proposed plan (identified as Exhibit 12), and the findings and conclusions stated above, staff recommends the Hearings Examiner **APPROVE** this request, subject to the understanding that the applicant is required to adhere to all applicable codes and laws, and is subject to the following conditions of approval:

Conditions of Approval

A Final Construction Plan Review for Land Division Review & Approval Authority: Development Engineering

Prior to construction, a Final Construction shall be submitted for review and approval, consistent with the approved preliminary plan and the following conditions of approval:

A-1 Transportation (Concurrency) – The applicant shall submit a signing and striping design for review and approval to the Public Works Transportation Division. This design shall show signing and striping and all related features for required frontage and offsite road improvements. The offsite road improvements will include signing and striping for the intersection of NE 88th Street/NE 94th Avenue. The applicant shall obtain a Work Order with Clark County to reimburse the County for the signing and striping changes needed along the frontage of this development and any offsite road improvements. This work order shall be

obtained unless directed otherwise by the Director of Public Works. (***See Transportation Concurrency Finding***)

A-2 Final Transportation Plan/On-Site - The applicant shall submit and obtain County approval of a final transportation design in conformance to CCC 40.350 and the following conditions of approval:

- a. The applicant shall provide clear space behind the sidewalk of NE 102nd Avenue per the local access road cross-sections. The minimum intersection curb return radius that is required is 25 feet for a local residential access road.
- b. Per CCC 40.350.030 (B)(5)(a)(5), parking shall be prohibited along partial width roads, with signs and pavement markings being the responsibility of the developer.
- c. Per CCC 40.350.030 (B)(4)(b)(1)(b), corner lot driveways shall be a minimum separation of 50 feet from the intersecting property lines or where this is impractical, the driveway may be located 5 feet from the property line away from the intersection or as a joint use driveway at this property line.
- d. The applicant shall comply with sight distances requirements found in CCC 40.350.030(B)(8). (***See Transportation Finding 4***)

A-3 Final Transportation Plan/Off site

The applicant shall ensure that NE 107th Street shall, at a minimum, have an unobstructed and paved roadway width of twenty (20) feet, except in those cases where the pre-existing road is eighteen (18) feet wide with one (1) foot wide shoulders in which additional widening to the twenty (20) foot standard is not necessary. Any pre-existing roadway narrower than eighteen (18) feet with one (1) foot shoulders shall be widened to the full twenty (20) foot standard. (***See Transportation Finding 3***)

A-4 Final Construction Plan – The applicant shall submit and obtain County approval of a final construction plan in conformance to CCC 40.350 and the following conditions of approval:

- a. Archaeology - A note shall be placed on the face of the final construction plans as follows:
"If any cultural resources and/or human remains are discovered in the course of undertaking the development activity, the Office of Archaeology and Historic Preservation in Olympia and Clark County Community Development shall be notified. Failure to comply with these State requirements may constitute a Class C Felony, subject to imprisonment and/or fines." (***See Archaeology Finding***)

A-5 Transportation:

- a. Traffic Control Plan: Prior to issuance of any building or grading permits for the development site, the applicant shall obtain written approval from Clark County Department of Public Works of the applicant's Traffic Control Plan (TCP). The TCP shall govern all work within or impacting the public transportation system.

A-6 Final Stormwater Plan - The applicant shall submit and obtain County approval of a final stormwater plan designed in conformance to CCC 40.380 and the following conditions of approval:

- a. Per CCC 40.380.040(C)(1)(g), the project shall not materially increase or concentrate stormwater runoff onto an adjacent property or block existing drainage from adjacent lots.
- b. According to CCC 40.380.050 (B)(8), properties and waterways downstream from development sites shall be protected from erosion due to increases in the volume, velocity, and peak flow rate of stormwater runoff from the project site. Stormwater exiting a parcel shall be discharged with adequate energy dissipaters within the development site to prevent downstream damage according to CCC 40.380.040 (C)(1)(d). An offsite analysis extending a minimum of one-fourth of a mile downstream from the development site in compliance with the provisions of Section CCC 40.380.040(B)(2) is required.
- c. If the applicant releases stormwater into the southeast corner of the site and to an existing culvert that is located under NE 107th Street, the flows shall not exceed the existing pre-developed flow rates for the southeastern portion of the site.
- d. Curve numbers shall not be averaged when calculating stormwater water quality design flows. The applicant shall demonstrate that the predeveloped curve numbers used in the stormwater calculations comply with CCC 40.380.040 (C)(2)(b).
- e. Stormwater facilities shall not be located within the 60 foot wide easement unless they are privately maintained. *(See Land Use Finding 3 and Stormwater Finding 2)*

A-7 Erosion Control Plan - The applicant shall submit and obtain County approval of a final erosion control plan designed in accordance with CCC 40.380

A-8 Excavation and Grading - Excavation/grading shall be performed in compliance with CCC 14.07.

A-9 Final Landscape Plan - The applicant shall submit and obtain county approval of a final landscape plan consistent with the approved preliminary landscape plan. The landscape plan shall include landscaping within the public Rights-of-Ways and on-site.

A-10 Health Department Review - Submittal of a "Health Department Project Evaluation Letter" is required as part of the Final Construction Plan Review or early grading application. If the Evaluation Letter specifies that certain actions are required, the Evaluation Letter will specify the timing of when those activities must be completed (e.g., prior to Final Construction Plan Review, construction, Provisional Acceptance, Final Plat Review, building permit issuance, or occupancy), and approved by the Health Department.

A-11 Fire Marshal Requirements:

- a. Fire Flow: Fire flow in the amount of 1000 gallons per minute supplied at 20 psi for 60 minutes duration is required for this application. A utility review from the water purveyor indicates that the required fire flow is available at the site. Additions to water mains supplying fire flow and fire hydrants shall be installed, approved and operational prior to final plat approval. **(See Fire Protection Finding 3)**
- b. Fire hydrants are required for this application. The applicant shall provide fire hydrants such that the maximum spacing between hydrants does not exceed 700 feet and such that no lot or parcel is in excess of 500 feet from a fire hydrant as measured along approved fire apparatus access roads.
- c. Fire hydrants shall be provided with appropriate 'storz' adapters for the pumper connection. A 3-foot clear space shall be maintained around the circumference of all fire hydrants. The local fire district chief approves the exact locations of fire hydrants. **(See Fire Protection Finding 4)**
- d. Fire Apparatus Access: Fire apparatus access is required for this application. The roadways and maneuvering areas as indicated in the application shall meet the requirements of the Clark County Road Standard. The applicant shall provide an unobstructed vertical clearance of not less than 13.5 feet, with an all weather driving surface capable of supporting the imposed loads of fire apparatus. **(See Fire Protection Finding 5)**

A-12 Health Department Review - Submittal of a "Health Department Project Evaluation Letter" is required as part of the Final Construction Plan Review or early grading application. If the Evaluation Letter specifies that certain actions are required, the Evaluation Letter will specify the timing of when those activities must be completed (e.g., prior to Final Construction Plan Review, construction, Provisional Acceptance, Final Plat Review, building permit issuance, or occupancy), and approved by the Health Department. **(See Utilities Finding 2)**

B	Prior to Construction of Development Review & Approval Authority: Development Inspection
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Prior to construction, the following conditions shall be met:

B-1 Pre-Construction Conference - Prior to construction or issuance of any grading or building permits, a pre-construction conference shall be held with the County; and,

- a. Prior to construction, demarcation of existing septic and water well systems, and underground tanks shall be established.
- b. Prior to site construction, abandonment of septic systems, water wells and underground tanks shall be decommissioned in accordance with the

procedures of the Clark County Health Department. (**Health Department Finding 2**)

- c. Prior to construction, fire flow in the amount of 1,000 gallons per minute supplied for 60 minutes duration is required for this application. Additions to water mains supplying fire flow and fire hydrants shall be installed, approved and operational prior to final plat approval. (**See Fire Protection Finding 3**).

B-2 Erosion Control - Prior to construction, erosion/sediment controls shall be in place. Sediment control facilities shall be installed that will prevent any silt from entering infiltration systems. Sediment controls shall be in place during construction and until all disturbed areas are stabilized and any erosion potential no longer exists.

B-3 Erosion Control - Erosion control facilities shall not be removed without County approval.

C	Provisional Acceptance of Development Review & Approval Authority: Development Inspection
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Prior to provisional acceptance of development improvements, construction shall be completed consistent with the approved final construction/land division plan and the following conditions of approval:

C-1 None

D	Final Plat Review & Recording Review & Approval Authority: Development Engineering
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Prior to final plat approval and recording, the following conditions shall be met:

D-1 Developer Covenant – A "Developer Covenant to Clark County" shall be submitted for recording to include the following:

- a. Critical Aquifer Recharge Areas - "The dumping of chemicals into the groundwater and the use of excessive fertilizers and pesticides shall be avoided. Homeowners are encouraged to contact the State Wellhead Protection program at (206) 586-9041 or the Washington State Department of Ecology at 800-RECYCLE for more information on groundwater /drinking supply protection."
- b. Erosion Control - "Building Permits for lots on the plat shall comply with the approved erosion control plan on file with Clark County Building Department and put in place prior to construction."

D-2 Plat Notes - The following notes shall be placed on the final plat:

- a. Sidewalks: "Prior to issuance of occupancy permits, sidewalks shall be constructed along all the respective lot frontages."

- b. Utilities: "An easement is hereby reserved under and upon the exterior six (6) feet at the front boundary lines of all lots for the installation, construction, renewing, operating and maintaining electric, telephone, TV, cable, water and sanitary sewer services. Also, a sidewalk easement, as necessary to comply with ADA slope requirements, shall be reserved upon the exterior six (6) feet along the front boundary lines of all lots adjacent to public streets."
- c. Driveways: "No direct access is allowed onto the following streets: NE 107th Street"
- d. Driveways: "All residential driveway approaches entering public roads are required to comply with CCC 40.350."
- e. Temporary Turnaround: "The following party(s) is responsible for removal of the onsite temporary turnaround and construction of sidewalk in this location: _____."
- f. Mobile Homes: "Mobile homes are not permitted on lots."
- g. Privately Owned Stormwater Facilities: "The following party(s) is responsible for long-term maintenance of the privately owned stormwater facilities: _____."
- h. "Lot(s)____(and _____) shall not be provided access to the shared driveway that provide access to Lots 15 and 16". **(See Land Use Finding 4)**

D-3 Health Department Signature Requirement – The Health Department is not required to sign the final plat, unless the use of well or septic systems is proposed.

D-4 Abandonment of On-Site Water Wells and Sewage Systems – The location of abandoned septic tanks and decommissioned wells shall be shown on the face of the final plat.

D-5 Developer Covenant – A "Developer Covenant to Clark County" shall be submitted for recording to include the following:

- a. Critical Aquifer Recharge Areas: "The dumping of chemicals into the groundwater and the use of excessive fertilizers and pesticides shall be avoided. Homeowners are encouraged to contact the State Wellhead Protection program at (206) 586-9041 or the Washington State Department of Ecology at 800-RECYCLE for more information on groundwater /drinking supply protection."
- b. Erosion Control - "Building Permits for lots on the plat shall comply with the approved erosion control plan on file with Clark County Building Department and put in place prior to construction."

- c. Responsibility for Stormwater Facility Maintenance: For stormwater facilities for which the county will not provide long-term maintenance, the developer shall make arrangements with the existing or future (as appropriate) occupants or owners of the subject property for assumption of maintenance to the county's Stormwater Facilities Maintenance Manual as adopted by Chapter 13.26A. The responsible official prior to county approval of the final stormwater plan shall approve such arrangements. Final plats shall specify the party(s) responsible for long-term maintenance of stormwater facilities within the Developer Covenants to Clark County. The county may inspect privately maintained facilities for compliance with the requirements of this chapter. If the parties responsible for long-term maintenance fail to maintain their facilities to acceptable standards, the county shall issue a written notice specifying required actions to be taken in order to bring the facilities into compliance. If these actions are not performed in a timely manner, the county shall take enforcement action and recover from parties responsible for the maintenance in accordance with Section 32.04.060.
- d. Impact Fees: "In accordance with CCC 40.610, the School, Park and Traffic Impact Fees for each dwelling in this subdivision are: \$8,290.00 (Battle Ground School District), \$1,543 (\$1,103 – Acquisition; \$440 – Development for Park District #6), and \$5,539 per dwelling for Traffic Impact Fees (North Orchards Impact Fee area) respectively. The impact fees for lots on this plat shall be fixed for a period of three years, beginning from the date of preliminary plat approval, dated _____, and expiring on _____. Impact fees for permits applied for following said expiration date shall be recalculated using the then-current regulations and fees schedule."

D-6 Addressing - At the time of final plat, existing residence(s) that will remain may be subject to an address change. Addressing will be determined based on point of access.

D-7 Verification of the Installation of Required Landscape

Prior to approval of a final plat, the applicant shall provide verification in accordance with Section 40.320.030(B) that the required right of way landscape along NE 107th Street has been installed in accordance with the approved landscape plan. **(See Land Use Finding 2)**

D-8 All lots in the proposed plat must connect to an approved public sewer and water systems. A copy of the final acceptance letter from the sewer and water purveyor shall be submitted to the Health Department with the final plat mylar. The applicant shall comply with all requirements of the purveyor. **(See Water and Sewer Finding 1)**

E	Building Permits Review & Approval Authority: Customer Service
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Prior to issuance of a building permit, the following conditions shall be met:

- E-1 Impact Fees** - The applicant shall pay impact fees based on the number of dwelling units in the building, as follows:
- Battle Ground School District, with a SIF of \$8,290.00 per dwelling
 - \$1,543 per dwelling for Park Impact Fees (\$1,103 – Acquisition; \$440 – Development for Park District #6);
 - \$5,539 per dwelling for Traffic Impact Fees (North Orchards Impact Fee area)

If the building permit application is made more than three years following the date of preliminary land division plan approval, the impact fees shall be recalculated according to the then-current rate.

F	Occupancy Permits Review & Approval Authority: Building
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Prior to issuance of an occupancy permit, the following conditions shall be met:

- F-1 Transportation (Concurrency)** – The applicant shall construct an eastbound right and left-turn lane at the intersection of NE 94th Avenue/NE 88th Street. This construction shall include a 100-foot long, 12-foot wide eastbound right and left-turn lanes with appropriate lane taper lengths and related signing and striping associated with the volunteered improvement. All work shall be completed and operational prior to occupancy unless modified by the Public Works Director.
- F-2** Prior to the issuance of a certificate of occupancy for the applicable lot, a letter from a licensed landscape architect must be provided which verifies that the required landscaping has been installed in compliance with the approved landscape plan. The affected lots are those abutting the north property boundary, and along the right of way of NE 102nd Avenue.

G	Development Review Timelines & Advisory Information Review & Approval Authority: None - Advisory to Applicant
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- G-1 Land Division** - Within 5 years of preliminary plan approval, a Fully Complete application for Final Plat review shall be submitted.
- G-2 Department of Ecology Permit for Construction Stormwater** - A permit from the Department of Ecology (DOE) is required If:
- The construction project disturbs one or more acres of land through clearing, grading, excavating, or stockpiling of fill material; **AND**

- There is a possibility that stormwater could run off the development site during construction and into surface waters or conveyance systems leading to surface waters of the state.

The cumulative acreage of the entire project whether in a single or in a multiphase project will count toward the one acre threshold. This applies even if the applicant is responsible for only a small portion [less than one acre] of the larger project planned over time. **The applicant shall Contact the DOE for further information.**

G-3 Building and Fire Safety

Building and Fire, Life, and Safety requirements must be addressed through specific approvals and permits. This decision may reference general and specific items related to structures and fire, life, and safety conditions, but they are only for reference in regards to land use conditions. It is the responsibility of the owner, agent, tenant, or applicant to insure that Building Safety and Fire Marshal requirements are in compliance or brought into compliance. Land use decisions do not waive any building or fire code requirements.

H	Post Development Requirements Review & Approval Authority: As specified below
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H-1 None

Note: Any additional information submitted by the applicant within fourteen (14) calendar days prior to or after issuance of this report, may not be considered due to time constraints. In order for such additional information to be considered, the applicant may be required to request a “hearing extension” or “open record” and shall pay the associated fee.

HEARING EXAMINER DECISION AND APPEAL PROCESS

This report to the Hearing Examiner is a recommendation from the Development Services Division of Clark County, Washington.

The Examiner may adopt, modify or reject this recommendation. The Examiner will render a decision within 14 calendar days of closing the public hearing. The County will mail a copy of the decision to the applicant and neighborhood association within 7 days of receipt from the Hearing Examiner. All parties of record will receive a notice of the final decision within 7 days of receipt from the Hearing Examiner.

An **appeal** of any aspect of the Hearing Examiner's decision, except the SEPA determination (i.e., procedural issues), may be appealed to the Board of County Commissioners only by a party of record. A party of record includes the applicant and

those individuals who signed the sign-in sheet or presented oral testimony at the public hearing, and/or submitted written testimony prior to or at the Public Hearing on this matter.

The appeal shall be filed with the Board of County Commissioners, Public Service Center, 1300 Franklin Street, Vancouver, Washington, 98668, within fourteen (14) calendar days from the date the notice of final land use decision is mailed to parties of record.

Any appeal of the final land use decisions shall be in writing and contain the following:

- Case number designated by the County;
- Name of the applicant;
- Name of each petitioner;
- Signature of each petitioner or his or her duly authorized representative;
- A statement showing the following:
 - That each petitioner is entitled to file the appeal as an interested party in accordance with CCC 40.510.030(H);
 - The specific aspect(s) of the decision being appealed;
 - The reasons why each aspect is in error as a matter of fact or law;
 - The evidence relied on to prove the error; and,
- The appeal fee of **\$716**.

The fee shall be refunded if the appeal is withdrawn in writing by the petitioner at least 15 calendar days before the public meeting to consider the appeal.

The Board of Commissioners shall hear appeals of decisions based upon the written record before the examiners, the examiner's decision, and any written comments received in the office of the Board within the following submittal deadlines measured from the date of the filing of the appeal:

- Fourteen (14) calendar days for the appellant's initial comments;
- Twenty-eight (28) calendar days for all responding comments; and,
- Thirty-five (35) calendar days for appellant reply comments, which are limited to the issues raised in the respondent's comments.

Written comments shall be limited to arguments asserting error in or support of the examiner decision based upon the evidence presented to the examiner.

Unless otherwise determined by the Board for a specific appeal, the Board shall consider appeals once a month, on a reoccurring day of each month. The day of the month on which appeals are considered shall be consistent from month to month as determined by Board.

The Board may either decide the appeal at the designated meeting or continue the matter to a limited hearing for receipt of oral argument. If continued, the Board of Commissioners shall designate the parties or their representatives to present argument, and permissible length thereof, in a manner calculated to afford a fair hearing of the issues specified by the Board of Commissioners. At the conclusion of its public meeting or limited hearing for receipt of oral legal argument, the Board of Commissioners may affirm, reverse, modify or remand an appealed decision.

Attachments:

- Map of property owners receiving notice
- Copy of Proposed Preliminary Plan (Exhibit 12)
- Exhibit List

Ninety percent (90%) of the fee will be refunded if the appeal is withdrawn in writing by the petitioner at least 15 calendar days before the public meeting to consider the appeal.

A copy of the approved preliminary plan, SEPA Checklist and Clark County Code are available for review at:

**Public Service Center
Community Development Department
1300 Franklin Street
P.O. Box 9810
Vancouver, WA 98666-9810
Phone: (360) 397-2375; Fax: (360) 397-2011**

A copy of the Clark County Code is also available on our Web Page at:
Web Page at: <http://www.clark.wa.gov>

For Employee Use Only - This is not part of the decision, but rather an attachment for processing purposes only.

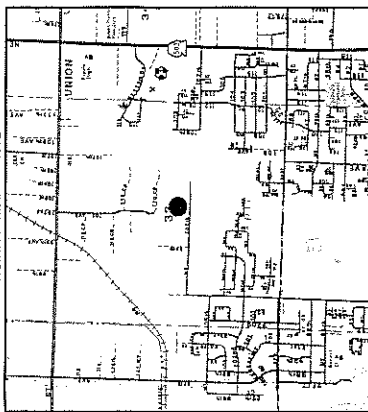
*Final right-of-way landscape plan required for projects fronting on arterial and collector streets.

Note: If final plan submittals are required, list each plan under Case Notes in Permit Plan for future reference.

Project Name: Westminstershireville Subdivision

The following minimum building setback requirements are based upon the zoning in place at the time, or setbacks as otherwise approved through preliminary plan review of the above listed project.

[illegible]

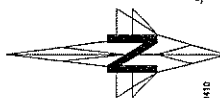


SITE DATA:

LOT: 44
 TAX ID: 16874-000
 SITE ADDRESS: 10274 NE 107TH STREET
 CO: CLATSOP COUNTY, OR
 COMPREHENSIVE PLAN DESIGNATION: U
 ZONING: U-1
 NET AREA: 4.35 ACRES
 NET AREA: 188,000 SQ. FT.
 MINIMUM DENSITY: 4.35 NET ACRES ± 23.60/acre = 12.61 OR 1260
 MINIMUM DENSITY: 4.35 NET ACRES ± 4.40/acre = 19.14 OR 1910

NOTES: USE OF KNOWN WATER COURSES, EROSION, PLAINS, UNSTABLE SLOPES, LANDSLIDE HAZARD AREAS, SIGNIFICANT HISTORIC, CULTURAL OR ARCHAEOLOGICAL RESOURCES LOCATED ON OR ADJACENT TO THE SITE.
 -NO DIRECT DRIVEWAY ACCESS WILL BE ALLOWED ON TO NE 107TH STREET
 -E-MAIN DOES NOT ADJACE THE SITE
 -SITE IS LOCATED -300' TO THE EAST OF THE SITE
 -SANITARY SEWER IS AVAILABLE THROUGH CLATSOP REGIONAL WASTEWATER DISTRICT
 -WATER SUPPLY IS AVAILABLE THROUGH CLATSOP REGIONAL WASTEWATER DISTRICT
 -THERE IS ONE KNOWN WELL AND SEPTIC SYSTEM ON SITE
 -BOUNDARY AND TO ADJACENT DATA PROVIDED BY MISSIE-BECKER SURVEYING, INC

OWNER/APPLICANT:
 DAVID TOLUENBERG
 1801 NE 13TH CIRCLE
 CLATSOP COUNTY, OR 97144
 (503) 810-423
 trappjohn@gmail.com



SCALE: 1" = 50 FEET

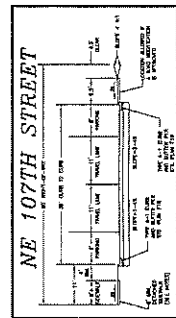
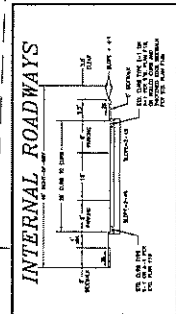
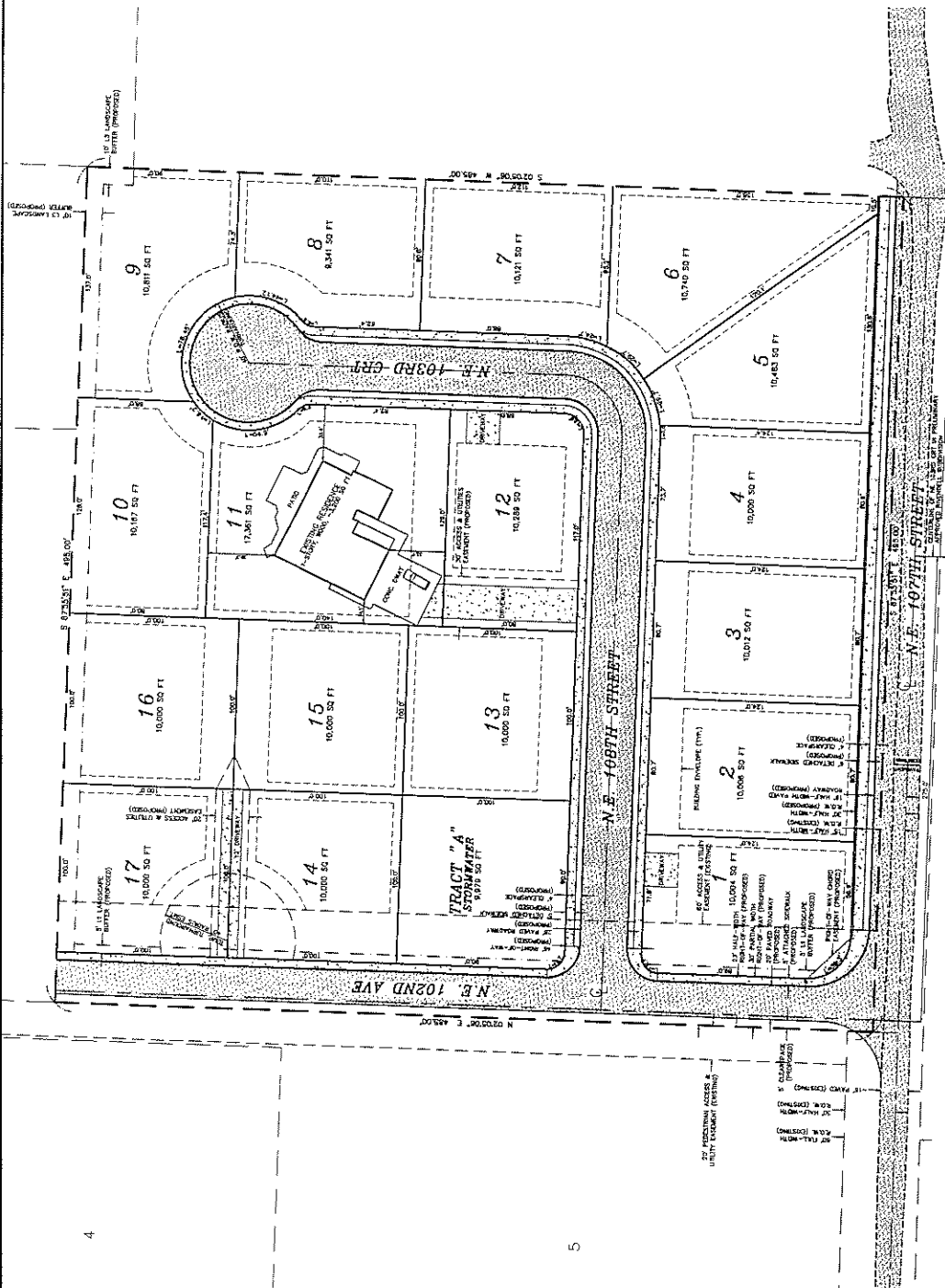
PROPOSED DEVELOPMENT PLAN
WESTMINSTERSHIREVILLE

SUBDIVISION
 IN A PORTION OF THE
 NE, NW, SE & SW 1/4s OF SECTION 33, T.3N., R.2E
 W.M.,
 CLARK COUNTY, WASHINGTON

ADP NO. 09-222
 DRAWING FILE: 09-233P-SUBMITTED
 SHEET 1 OF 1

REVISION # 12

REVISED
 6/14/09





HEARING EXAMINER EXHIBITS

APPLICATION: WESTMINSTERSHIREVILLE SUBDIVISION

CASE NUMBERS: PLD2009-00022; SEP2009-00038

Hearing Date: July 23, 2009

EXHIBIT NO.	DATE	SUBMITTED BY	DESCRIPTION
1		CC Development Services	Aerial Map
2		CC Development Services	Vicinity Map
3		CC Development Services	Zoning Map
4		CC Development Services	Comprehensive Plan Map
5	5/6/09	Applicant, Minister Glaeser Surveying Inc.	Proposed Development Plan, Preliminary Stormwater Plan, Preliminary Boundary Survey, Preliminary Topographic Survey, Preliminary Landscape Plan
6	5/6/09	Applicant, Minister Glaeser Surveying Inc.	<ol style="list-style-type: none"> 1. Table of Contents 2. Application Form 3. Preapplication Conference Report 4. Developer's GIS Packet 5. Project Narrative 6. Sales History 7. Approved Preliminary Plat – Rivendell 8. Traffic Study 9. School Letter 10. SEPA Checklist 11. Water Utility Review 12. Sewer Utility Review 13. Archaeological Predetermination 14. DAHP Confirmation Email 15. Wetland Report 16. Preliminary Drainage Report 17. Preliminary Stormwater Plan 18. Preliminary Boundary Survey 19. Preliminary Topographic Survey 20. Preliminary Landscape Plan 21. Proposed Development Plan
7	5/20/09	CC Development Services	Fully Complete Determination
8	6/3/09	CC Development Services	Affidavit of Mailing Public Notice

EXHIBIT NO.	DATE	SUBMITTED BY	DESCRIPTION
9	6/3/09	CC Development Services	Notice of Type III Development Review Application, Optional SEPA Determination of Non-Significance & Public Hearing
10	6/5/09	Steve Howell	Comment Letter
11	6/18/09	Applicant, Minister Glaeser Surveying Inc.	Offsite Drainage Culvert Photos
12	6/19/09	Applicant, Minister Glaeser Surveying Inc.	Revised Proposed Development Plan
13	6/22/09	David Bottamini, PW	Re: Stormwater Direction and Sizing
14	6/24/09	Applicant, Minister Glaeser Surveying Inc.	Voluntary Concurrency Letter
15	7/1/09	CC Development Services	Legal Notice to Paper Published 7/8/09
16	7/7/09	CC Development Services	Affidavit of Posting
17	7/7/09	CC Development Services	Staff Report written by Jan Bazala

Copies of these exhibits can be viewed at:

Department of Community Development / Planning Division
1300 Franklin Street
Vancouver, WA 98666-9810